



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

5720
Ser DNS-36KM/20U113483
May 11, 2020

Sent via email to: scott.pham@buzzfeed.com

Mr. Scott Pham
111 E. 18th Street
New York, NY 10003

Dear Mr. Pham:

This is in reference to your Freedom of Information Act (FOIA)/Privacy Act (PA) request dated August 16, 2019. Your request was received in our office on the same day and assigned case number DON-NAVY-2019-010336.

In the course of processing your FOIA request this office contacted the Secretary of the Navy's office (SECNAV) to conduct a search for applicable records. Accordingly, that office searched their local files for records relating to "All emails and memos relating to the subject of "climate change" sent to or from the following Assistant Secretaries of the Navy Todd Mellon, Phyllis Bayer, and Steve Iselin between January 1, 2017 - today".

The SECNAV office has identified 1 record totaling 45 pages that is responsive to your request. Upon review of these records, it has been determined that they contain instances of deliberative process privileged material, are predecisional in nature, and/or contain working versions of documents, and are thus exempt from disclosure under 5 U.S.C. § 552(b)(5). These records were originated by or in concert with the Director for Material Readiness & Logistics (N4), containing drafts and/or proposals of documents not in their final form, and, therefore, are exempt from disclosure.

It has also determined that they contain instances of personally identifiable information (PII), such as the names, dates of birth, and social security numbers of individuals. These instances of PII are exempt from disclosure under 5 U.S.C. § 552(b)(6), since release of this information would result in a clearly unwarranted invasion of their personal privacy. The remainder of the document is released to you.

You have the right to an appeal. It must be received within 90 calendar days from the date of this letter. Please provide a letter requesting an appeal, with a copy of your initial request and a copy of the letter of denial, in an envelope marked "Freedom of Information Act Appeal." You are encouraged (though not required) to provide an explanation why you believe the redactions were inappropriate or our search was inadequate. Also, please provide a copy of your appeal

letter to us at [Name and address of the command or activity which responded to the request].

There are two ways to file an appeal—through FOIAonline or by mail.

Through FOIAonline. This will work only if you set up an account on FOIAonline before you make the request that you would like to appeal. To set up an account, go to FOIAonline (this is a website that will appear as the top hit if you search the internet for "FOIAonline"), click "Create Account" (a link located within the blue banner at the top in the upper right corner), enter your data into the field that subsequently appears, and click "Save" (at the bottom left of the screen). With your account thereby created, you will have the power to file an appeal on FOIAonline to any request you file on FOIAonline thereafter. To do so, locate your request (enter a keyword or the request tracking number in the "Search for" field on the "Search" tab), click on it, then the "Create Appeal" tab in the left-hand column. Complete the subsequent field, click "Save," and FOIAonline will submit your appeal.

The Judge Advocate General (Code 14)
1322 Patterson Avenue SE, Suite 3000,
Washington Navy Yard, DC 20374-5066

For this determination, you have the right to seek dispute resolution services from either the DoD Navy Component FOIA Public Liaison, Mr. Chris Julka, at: Christopher.a.julka@navy.mil, via phone: (703) 697-0031; or by contacting the Office of Government Information Services at: (<https://ogis.archives.gov/>), (202) 741-5770, ogis@nara.gov.

Questions regarding the action this office has taken to process your request may be directed to our FOIA Service Center at (202) 685-0412 or via email at donfoia-pa@navy.mil.

Sincerely,



G. Cason
By direction
Deputy Director,
DON FOIA/PA Program Office